UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MARTYR JEAN-BAPTISTE MEDA,

Index No. 17-cv-6853-LGS

Plaintiff.

-against-

DER KOGDA, MARIE-CLAIRE SOMDA-KOGDA, and CLARISSE KOGDA,

Defendants.

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Plaintiff Martyr Jean-Baptiste Meda's Motion to Dismiss the Counterclaims asserted against him by Defendants/Counter-claim Plaintiffs Der Kogda, Marie-Claire Somda-Kogda, and Clarisse Kogda, and Declaration of Elyse D. Echtman, Plaintiff Martyr Jean-Baptiste Meda will move this Court, before the Honorable Lorna G. Schofield, United States District Judge in the Southern District of New York, Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, 10007, at a date and time to be determined by the Court, for an order pursuant to Federal Rules of Civil Procedure 12(b)(6) and 41(b) dismissing Defendant/Counter-claim Plaintiffs' Counter-complaint dated November 22, 2017.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE, LLP

Dated: March 2, 2018 New York, New York

/s/ Elyse D. Echtman

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